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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Issue Patent No.: 7,069,153

Inventor: Kenneth C. Johnson

Issued: June 27, 2006

Application No.: 10/764,793

Filed: January 26, 2004

For: CD METROLOGY METHOD

**PAYMENT OF FEE DEFICIENCY
UNDER 37 C.F.R. 1.28(c)**

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Commissioner for Patents
P.O. Box 1450
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2008.

STALLMAN & POLLOCK LLP

Dated: 04/14/2008

By:

Georgia K. Stith

Sir:

Although a claim for small entity status was made in this case in good faith, through error, the U.S. Patent Office was not timely notified of a loss of entitlement to small entity status as required by 37 C.F.R. 1.27(g)(2). Therefore, in accordance with 37 C.F.R. 1.28(c) Applicant(s) provide(s) payment of the deficiency that is owed.

Calculation of Deficiency owed:

Explanation of Fee Type	Fee Code	Fee Paid	Date Paid	Fees Owed
Utility Issue Fee (1.18(a))	1501	\$700.00	05/05/2006	\$740.00

Total

\$740.00

A check in the amount of \$740.00 is attached.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

Atty Docket No.: TWI-33010


this application by this firm) to our Deposit Account No. 50-1703, under Order No. TWI-33010.

A duplicate copy of this sheet is enclosed.

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: April 11, 2008

By: 
Michael A. Stallman
Reg. No. 29,444

Attorneys for Applicant(s)